THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 7302 of 2007

Dated: 26.04.2007

Between:

K. Sreenivasulu.

.....
PETITIONER

AND

The Regional Manager, APSRTC, Mahabubnagar Region, Mahabubnagar.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 7302 of 2007

Order:

Questioning the proceedings dated 05.09.2000 of the respondent-APSRTC, deleting the name of the petitioner from the select-list of Heavy Vehicle Drivers of APSRTC, Mahabubnagar Region, the present writ petition is filed.

2. The petitioner states that in pursuance of the notification of the respondent-APSRTC, he submitted application for appointment to the post of Driver. He having been selected, had also undergone training as Driver in APSRTC Training School, Hakimpet. He states at the time of issuing appointment orders, the respondent-APSRTC took an objection that as per the school records, his father's name was mentioned as Ramanna, whereas in the driving licence, it was mentioned as Ganganna, and accordingly, he was given seven days time to produce necessary documentary evidence. He states that as he could not produce proper evidence within the time given, the respondent-APSRTC deleted his name from the select-list of heavy vehicle drivers, by the impugned order. Thereafter, he made representation, dated 02.01.2007, along with the certificates issued by the Mandal Revenue Officer, Village Secretary of Gram Panchayat and a

notarised affidavit, clarifying that his father's name is K. Ramanna @ Ganganna, to the respondent, but no orders thereon have been passed. Hence, the petitioner filed the present writ petition.

3. The respondent-APSRTC filed counter-affidavit. Reiterating the counter averments, the learned Standing Counsel for the respondent-APSRTC contended that the report dated 17.06.2006 submitted by the Additional Superintendent of Police, Hyderabad Zone shows that the name of the father of the petitioner is K. Ganganna, his parentage did not tally with the school records, wherein his father's name was recorded as Ramanna. The petitioner did not fill up column Nos. 6,7,8 and 10 in his application form. He further contended that the alleged representation dated 02.01.2007 made by the petitioner is not available in the office records of the respondent. At any rate, he submitted that since after lapse of 4 months from the date of the impugned proceedings, the petitioner made representation, it does not confer any legal right on him to seek directions to re-consider the matter, and more so when he was given sufficient opportunity before issuing the impugned proceedings.

4. The learned counsel for the petitioner contended that even though he submitted the certificates issued by the Mandal Revenue Officer, Village Secretary of Gram Panchayat and the notarised affidavit, clarifying that his father's name is K. Ramanna @ Gananna, the respondent-APSRTC has not considered the same. He, thus, prays to set aside the impugned proceedings and to direct the respondent-APSRTC, to appoint him as Driver on par with other selected candidates.

5. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent-APSRTC and perused the material on record.

6. A perusal of the record produced by the learned Standing Counsel for the respondent-APSRTC as well as the material on record, would indicate that the name of the father of the petitioner is mentioned as Ramanna in the bonafide certificate issued by the Head Master of the School, whereas in the Driving Licence, his name is mentioned as Ganganna. The report of the Additional Superintendent of Police, Hyderabad, dated 17.06.2006, shows that the name of the father of the petitioner is K. Ganganna, his parentage did not tally with the school records, wherein his father's name was recorded as Ramanna. This apart, is stated in the counter that the petitioner did not fill up column Nos. 6, 7, 8 and 10 in his application form. In view of the discrepancy in the name of the father of the petitioner, the respondent-APSRTC, after giving reasonable opportunity to the petitioner to produce the relevant documents, passed the impugned proceedings, and no exception can be taken thereto.

7. Though the petitioner stated that he made representation dated 02.01.2007, the same is disputed by the respondent, and it is contended that no such representation is available in the office record.

8. I find no merit in the writ petition, and the same is accordingly dismissed. No costs.

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N.V. RAMANA, J.

Date: 26.04.2007

sj